Thomas P. Riley, SBN 194706 LAW OFFICES OF THOMAS P. RILEY, P.C. First Library Square 1114 Fremont Avenue South Pasadena, CA 91030

Tel: 626-799-9797 Fax: 626-799-9795 TPRLAW@att.net

Attorneys for Plaintiffs KingVision Pay-Per-View, Ltd.

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

KingVision Pay-Per-View, Ltd.,

Plaintiff,

Vs.

Jose Maximiliano Montecinos, et al.

Defendant.

CASE NO. CV 09-00218 MMC

PLAINTIFF'S EX PARTE

APPLICATION FOR AN ORDER

VACATING THE CASE

MANAGEMENT CONFERENCE; AND

ORDER (Proposed) CONTINUING CASE

MANAGEMENT CONFERENCE

Plaintiff KingVision Pay-Per-View, Ltd., hereby applies *ex parte* for an order vacating the Case Management Conference in this action, presently set for Friday, June 19, 2009 at 10:30 a.m. This request will be, and is, necessitated by the fact that defendants Jose Maximiliano Montecinos and Maria Alicia Montecinos are in default and Plaintiff's Application for Default Judgment is presently pending before the Court

As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive pleading from the defendants. As a result, Plaintiff's counsel has not conferred with the defendant concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the case itself or the preparation of a Case Management Conference Statement.

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PLAINTIFF'S *EX PARTE* APPLICATION FOR AN ORDER VACATING THE CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed) CASE NO. CV 09-00218 MMC PAGE 1

1	WHEREFORE, Plaintiff respectfully requests that this Honorable Court vacate the Case	
2	Management Conference presently scheduled for Friday, June 19, 2009 at 10:30 a.m. in order that	
3	Plaintiff and its counsel may avoid necessary fees and costs in this matter presently pending final	
4	disposition by virtue of Plaintiff's Application for Default Judgment by the Court.	
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7		Respectfully submitted,
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10		/s/ Thomas P. Riley
11		LAW OFFICES OF THOMAS P. RILEY, P.C.
12		By: Thomas P. Riley Attorneys for Plaintiff
13		KingVision Pay-Per-View, Ltd.
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PLAINTIFF'S *EX PARTE* APPLICATION FOR AN ORDER VACATING THE CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed) CASE NO. CV 09-00218 MMC PAGE 2

1	ORDER (Proposed)	
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3	It is hereby ordered that the Case Management Conference in civil action number CV 09-00218	
4	styled KingVision Pay-Per-View, Ltd. v. Jose Maximiliano Montecinos, et al., is hereby vacated.	
5	CONTINUED to August 21, 2009; a Case Management Statement shall be filed by August 14, 2009.	
6	Plaintiff shall also serve a copy of this Order on the Defendant and thereafter file a Certification	
7	of Service of this Order with the Clerk of the Court, no later than June 17, 2009.	
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10	IT IS SO ORDERED:	
11	II IS SO ORDERED.	
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13	Maline M. Cheken Dated: June 10, 2009	
14	THE HONORABLE MAXINE M. CHINTY	
15	United States District Court Northern District of California	
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